COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CITY OF NEWPORT

V.

CAMPBELL COUNTY KENTUCKY WATER DISTRICT AND KENTON COUNTY WATER DISTRICT NO. 1

and

CASE NO. 89-014

CHARLES ATKINS AND STEVEN J. FRANZEN

v.

CAMPBELL COUNTY KENTUCKY WATER DISTRICT

ORDER

On August 30, 1989, the Attorney General, by and through his Utility and Rate Intervention Division ("AG"), moved for permission to file his witness list out of time. In its Order of June 27, 1989, the Commission had ordered all parties to this proceeding to submit their witness list no later than July 10, 1989.

In support of his motion, the AG states that his failure to timely file his witness list is due to the reassignment of the attorney handling this case and the new attorney's extensive involvement in another proceeding before the Commission in early July 1989. He further states that the issue to which his proposed witness will testify -- water quality -- is a relevant issue in

determining the outcome of this proceeding and should not be a surprise to any party to this proceeding.

No party in this proceeding has filed an objection to the AG's motion.

Maving reviewed the AG's motion and being sufficiently advised, the Commission is of the opinion and finds that good cause exists to grant it.

IT IS THEREFORE ORDERED that:

- 1. The AG's motion to file his witness list out of time is granted.
 - 2. The tendered witness list is accepted for filing.

 Done at Frankfort, Kentucky this 26th day of September, 1989.

PUBLIC SERVICE COMMISSION

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For the Commission

appent: